

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

OLUWADAYISI OMOSULE,	:	
Plaintiff,	:	Case Nos. 3:09cv00261
vs.	:	
JUDGE STEPHEN HURLEY, <i>et al.</i> ,	:	District Judge Walter Herbert Rice Magistrate Judge Sharon L. Ovington
Defendants.	:	

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #3), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations. It is therefore

ORDERED that:

1. The Report and Recommendations filed on August 19, 2009 (Doc. #3) is **ADOPTED** in full;
2. Plaintiff's Complaint is **DISMISSED** without prejudice;
3. The Court certifies pursuant to 28 U.S.C. §1915(a)(3) that an appeal of this Decision and Entry would not be taken in good faith, and consequently leave for Plaintiff to appeal *in forma pauperis* is denied; and

4. The case is terminated on the docket of this Court.

A handwritten signature in black ink, appearing to read 'Walter Herbert Rice', is positioned above a horizontal line.

Walter Herbert Rice
United States District Judge